

Case Assignment and Scheduling Record
(Case with Unconventional Time Schedule)

Section 1 - Division of Records and Reporting (RAR) Completes

Docket No. 910663-TC Date Docketed: 06/06/91 Title: Initiation of show cause proceedings against COMTEL OF JACKSONVILLE, INC. for violation of F.A.C. Rules 25-24.515(2), Return of Deposited Money; 25-25.515(5), Posting Requirement; 25-24.515(6), Access to All Long Distance Carriers; and 25-4.043, Response Requirement.

Company: Comtel of Jacksonville, Inc. (TE178)

Official Filing Date: 06/06/91
Last Day to Suspend: 08/05/91 8 Mo. Expiration: _____

Referred to: ADM AFA APP CAF CMU EAG (LEG) RCH WAS
(") indicates OPR _____ X _____

Section 2 - OPR Completes and returns to RAR in 10 workdays.

Time Schedule

Program/Module B8(b)

Staff Assignments

OPR Staff J Adams

Staff Counsel J Adams

OCRs (CMU) P Austin
() _____
() _____
() _____

Recommended assignments for hearing and/or deciding this case:

- Full Commission X
- Commission Panel _____
- Hearing Examiner _____
- Staff _____

This case (will) (will not) require a hearing, to be held at: (location)

Transcript delivery time recommended:

Normal ___ Expedited ___ Daily Copy ___

Completed Date: _____

Initials: OPR _____
Staff Counsel _____

Warning: This schedule is tentative and subject to revision

Current CASR revision level

0

Due Dates

Previous Current

Current CASR revision level	Previous	Current
1. Staff Recommendation	NONE	07/18/91
2. Agenda - Regular	NONE	07/30/91
3. Standard Order	NONE	08/20/91
4. Close Docket or Revise CASR	NONE	09/20/91
5.		
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31.		

Section 3 - Chairman Completes

Assignments are as follows:

- Hearing Officer(s)

Commissioners						Hrg. Exam.	Staff
ALL	BR	GT	WN	ES	DS		
X							

- Prehearing Officer

Commissioners					ADM
BR	GT	WN	ES	DS	
					X

Where panels are assigned the senior Commissioner is Panel Chairman; the identical panel decides the case.

Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: JBlas

Date: 7-1-91

Section 4 - RAR Distributes, after Chairman's approval, as indicated below:

A copy to each of the following:

And a copy to each of the following when checked:

- | | | | |
|---------------------|-------------------------------|----------------------------------|------------------------|
| Chairman Beard | Deputy Ex. Director/Technical | Administration Director | Research Director |
| Commissioner Gunter | General Counsel | Audit. & Finance Director | Water & Sewer Director |
| Commissioner Wilson | Appeals Director | <u>X</u> Communications Director | Court Reporter |
| Commissioner Easley | Legal Services Director | Consumer Affairs Director | Other |
| Commissioner Deason | Ex. Assist./Comm. Support | Electric & Gas Director | |
| Executive Director | Each Party | | |

Docket Index Listing for Closed Dockets
910663

910663-TC

Docketed: June 6, 1991
Company: Comtel of Jacksonville, Inc. (TE178)
Title: Initiation of show cause proceedings against COMTEL OF JACKSONVILLE, INC. for violation of F.A.C. Rules 25-24.515(2), Return of Deposited Money; 25-25.515(5), Posting Requirement; 25-24.515(6), Access to All Long Distance Carriers; and 25-4.043, Response Requirement.
OPRs: LEG - Adams
OCRs: CMU - Johnson
Staff Counsel: LEG - Adams
Commissioners: Prehearing Officer - Administrative
Hearing Officers - All Commissioners

<u>DOCUMENT NO.</u>	<u>DATE</u>	<u>DOCKET NO.</u>	<u>DESCRIPTION</u>
05702-91	06/06/91	910663-TC	CMU/Austin req to est dkt: Initiation of show cause proceedings against COMTEL OF JACKSONVILLE, INC. for violation of Rules 25-24.515(2), return of deposited money; 25-24.515(5), posting requirement; 25-24.515(6), access to all LDC carriers; & 25-4.043, response requirement.
07145-91	07/15/91	910663-TC	RECOMM fr CMU/Austin; LEG/Adams to 7/30/91 ag - issue show cause order.
07679-91	07/31/91	910663-TC	VOTE SHEET fr 7/30/91 ag - ES, BR, WN, DS.
08505-91	08/26/91	910663-TC	Order 24975 to COMTEL OF JACKSONVILLE to show cause why PATS Cert 2434 should not be canceled or a fine imposed for violation of rules; response due 9/16/91 or cancel cert and close. (BDEW)
08850-91	09/05/91	910663-TC	COMTEL OF JACKSONVILLE (DiCara) - Signed return receipt card for show cause order.
10402-91	10/18/91	910663-TC	LEG/Adams memo to RAR/Simmons advising since no response has been received, PATS Cert 2434 is canceled by terms of Order 24975 and docket may be closed; closed by XCM.

CASR TO

910663-TC

6/6/91-----

Ron Dicara

10230 Atlantic Blvd, #21
Jacksonville, FL. 32225

*Certified
8/26/91*

6/19/91-----

ST-----

Messer, Vickers, Caparello, Madsen & Lewis

Attn: Barry Selvidge

P. O. Box 1876

Tallahassee, FL. 32302-1876

Commissioners:

THOMAS M. BEARD, CHAIRMAN
MICHAEL WILSON
BETTY EASLEY
J. TERRY DEASON

State of Florida



STEVIE TRIBBLE, Director
Division of Records and Reporting
(904) 488-8371

Public Service Commission

JULY 19, 1991

TO: All Interested Persons
FROM: Steve Tribble, Director of Records and Reporting
RE: Notice of Commission Conference

Attached is an excerpt of the Agenda for the Commission's regular conference, which is scheduled to begin at 9:30 a.m. on July 30, 1991 in Room 106 of the Fletcher Building, 101 East Gaines Street, Tallahassee. The attached excerpt summarizes the issues to be decided in a docket in which you have expressed an interest. As a party of record or interested person in this docket, you may wish to obtain a copy of the Commission staff's recommendation. To do so, call the Records Section of this office at (904) 488-8371.

Also, as a party of record or interested person, you may wish to attend the conference and address the Commission regarding the docket. If this is your intent, you will need to sign the appearance register, which is located on a table at the back of the hearing room near the double doors. (If you fail to sign the register, you may miss the opportunity to speak before the Commissioners vote on the docket.) The Chairman will then announce each item as it is taken up and ask for your comments at the appropriate time. Any comments you wish to make should be limited to approximately five minutes.

If you have any questions regarding this information, please feel free to call me.

ST:ds
Attachment

RECEIVED
AUG 30 1991
FPSC-RECORDS/REPORTING

August 29, 1991

Mr. Oscar Navarro
9030 SW 125th Avenue Apt. F107
Miami, FL 33186

Dear Mr. Navarro:

910663-TC

This is in response to your complaint of August 7, 1991 against Comtel of Jacksonville.

I have been unable to get a response from Comtel regarding the problems you encountered. The commission has initiated formal action against Comtel of Jacksonville for violation of rules, including non-response to complaints. Your complaint is being added to the docket file for review by all parties.

If you have any future problem with which I can be of assistance, please let me know.

Sincerely,

Christine K. Eaken
Division of Consumer Affairs

CKE:kt
cc: John Adams, Legal
Pam Austin, Communications
Docket file

Name NAVARRO, OSCAR

Address 9030 SW 125TH AVE APT. F107

City/Zip MIAMI 33186 County DADE

Account Number _____

Has consumer contacted company? Yes _____ No Who _____

1. Nature of Request 2. Report of Action

Customer reports that at the payphone on 5347 Highway 192 in Orlando did not list the number of the payphone, customer was unable to reach an AT&T operator and deposited \$2.50 to make a long distance call that did not go through and payphone would not return it. There is no repair number listed and no number for a refund.

Please investigate and repair station, provide a refund to customer and provide a report by due date below.

Company COMTEL OF JACKSONVILLE

Attn. RON DICARA

Consumer's Telephone # (305)-270-8980

Can Be Reached _____

Request No. 62949P

By CKE Time 9:46 AM Date 08/06/91

To CO Time mail Date 08/07/91

Complaint Type ps-05

Note _____

Justification _____

Closed By _____ Date _____

Reply Received _____

CONSUMER REQUEST

FLORIDA

PUBLIC

SERVICE

COMMISSION



101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:
Christine Eaken

08/22/91

BY: _____

FLORIDA PUBLIC SERVICE COMMISSION - RECORDS AND REPORTING

Requisition for Photocopying and Mailing

Date 8/26/91

Number of Originals 5799 Copies Per Original 40

Requested By J. Panaway

Item Presented

Agenda For (Date) _____ Order No. 24975 In Docket No. 910663-TC

Notice of _____ For (Date) _____ In Docket No. _____

Other _____

Special Handling Instructions

Distribution/Mailing			
Number	Distributed/Mailed To	Number	Distribution/Mailed To
<u>39</u>	<u>Commission Offices</u>	_____	_____
<u>01</u>	<u>Docket Mailing List</u>	_____	_____
<u>01</u>	<u>Certified 8/26/91</u>	_____	_____

Note: Items must be mailed and/or returned within one working day after issue unless specified here:

Print Shop Verification

Job Number 228 Verified By WS

Date and Time Completed 10:568-2791 Job Checked For Correctness and Quality (Initial) _____

Mail Room Verification

Date Mailed 8/27/91 Verified By JG

State of Florida

Commissioners:
THOMAS M. BEARD, CHAIRMAN
SUSAN CLARK
J. TERRY DEASON
BETTY EASLEY
MICHAEL WILSON



DIVISION OF CONSUMER AFFAIRS
GEORGE HANNA,
DIRECTOR
(904) 488-7238
TOLL FREE 1-800-342-3552

Public Service Commission

August 26, 1991

RECEIVED
AUG 26 1991

FPSC-RECORDS / REPORTING

Mr. Ernest Fitzgerald
Florida Motel
253 San Marco Avenue
St. Augustine, FL 32084

Dear Mr. Fitzgerald:

This is in reference to your call to the Public Service Commission about the payphone at your premises owned by Comtel of Jacksonville. I hope the following information is helpful.

After our June 27 conversation, I filed a complaint against Comtel based on the information you gave me pertaining to customers being unable to get refunds for money lost in the phone. To date I have been unable to get Comtel to respond to the complaint.

The Commission has initiated formal action against Comtel for violation of PSC rules. By copy of this letter, I am advising the staff involved in the investigation of your situation. A copy of the complaint will also be added to the docket file.

Thank you for calling the Commission about this matter. If you have any questions, please let me know.

Sincerely,

Melinda G. Pace

Melinda Pace
Consumer Affairs Analyst
Division of Consumer Affairs

cc: P. Austin, Division of Communications
J. Adams, Division of Legal Services
Docket 910663

Name FLORIDA MOTEL

Company COMTEL OF JACKSONVILLE

Request No. 57765P

Address ERNEST FITZGERALD, OWNER

Attn. RON DICARA

By MGP Time 10:25 AM Date 06/27/91

253 SAN MARCO AVENUE

Consumer's Telephone # (904)-824-2348

To CO Time mail Date 06/28/91

City/Zip ST. AUGUSTINE 32084 County STJ

Can Be Reached _____

Complaint Type ps-05

Account Number _____

Note _____

Has consumer contacted company? Yes No _____ Who _____

Justification Y

1. Nature of Request 2. Report of Action

Closed By MGP Date 08/26/91

Reply Received L

Customer advises that you own and operate the payphone at the above address. The phone number is 829-1461. Customers using the phone have been unable to get refunds when they lose money in the phone. He has called you several times, but is never able to speak to the person in charge of refunds. He is always told that someone will call him back, but the calls are never returned. Please contact customer and respond in writing to this office by the date shown below. He also advised that he has received no commission payments for this year.

7/3 Margaret advised that CMU has a show cause docket open against this company for not responding to previous complaints.

08-26 Attempted to reach company by phone. Number has been disconnected.

Closed by letter, informed customer of show cause proceedings.

cc: Pam Austin, CMU

CONSUMER REQUEST

FLORIDA

PUBLIC

SERVICE

COMMISSION



101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

Melinda Pace

BY: 07/15/91

Name FLORIDA MOTEL

Company COMTEL OF JACKSONVILLE

Request No. 57765P

Address _____

Attn. _____

By _____ Time _____ Date _____

Consumer's Telephone # _____

To _____ Time _____ Date _____

City/Zip _____ County _____

Can Be Reached _____

Complaint Type _____

Account Number _____

Note _____

Has consumer contacted company? Yes _____ No _____ Who _____

Justification _____

1. Nature of Request 2. Report of Action

Closed By _____ Date _____

John Adams, LEG

Reply Received _____

Docket 910663

CONSUMER REQUEST

FLORIDA

PUBLIC

SERVICE

COMMISSION



101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

BY: _____

RECEIVED
SEP 11 1991

FPSC-RECORDS / REPORTING

September 11, 1991

Ms. Donna Davis
1625 Mercy Drive
Orlando, FL 32808

Dear Ms. Davis:

This is a follow-up to your recent communication with this Commission concerning your payphone provided by Comtel of Jacksonville.

A review of the information developed in our investigation indicates that the telephone is constantly going out of order and the company is not providing you with commission checks. Comtel has thus far failed to respond to your concerns.

We have also been unsuccessful in getting Comtel to address this situation. The Public Service Commission has initiated formal action against Comtel of Jacksonville for violation of Commission rules.

Your complaint will be added to the docket file. Thank you for bringing this matter to our attention.

Sincerely,

Mike Dymek
Consumer Affairs Analyst
Division of Consumer Affairs

MD:sah
cc: Pam Austin
John Adams
✓ Docket file 910663

ROUTING - REQUEST

Please

- READ
 HANDLE
 APPROVE
and
 FORWARD
 RETURN
 KEEP OR DISCARD
 REVIEW WITH ME

To Records + RecordingDocket File No.
910663Date 9/5 From CAFRECEIVED
SEP - 6 1991

FPSC-RECORDS / REPORTING

September 5, 1991

Mr. John Torode
 Starke Amoco
 531 South Walnut Street
 Starke, Florida 32091

Dear Mr. Torode:

I am writing concerning your complaint against Comtel of Jacksonville. I apologize for the delay in responding, however, I have been unable to reach this company.

The commission has initiated formal proceedings against Comtel for rules violations. These proceedings may result in a cancellation of the company's certificate to offer pay telephone service in Florida, a monetary fine, or both. Failure to respond to customer and commission complaints is also a rules violation, consequently, your complaint has been added to the docket file.

I appreciate your bringing this matter to our attention.

Sincerely,

Kathryn Dyal Brown
 Consumer Affairs Analyst
 Division of Consumer Affairs

KDB:kt

cc: John Adams, Legal
 Pam Austin, Communications
 Docket File No. 910663

Name STARKE AMOCO
Address JOHN TORODE
531 SOUTH WALNUT STREET
City/Zip STARKE 32091 County BRAD
Account Number _____

Company COMTEL OF JACKSONVILLE
Attn. RON DICARA, VICE PRESIDENT
Consumer's Telephone # () - -
Can Be Reached (904)-964-4413

Request No. 61183P
By KDB Time 11:39 AM Date 07/23/91
To CO Time mail Date 07/23/91
Complaint Type ps-06

Has consumer contacted company? Yes X No _____ Who _____

Note _____
Justification Y
Closed By KDB Date 08/26/91
Reply Received L

1. Nature of Request 2. Report of Action

Customer said he had payphone installed over 3 months ago, it is dead now & he has been unable to reach Comtel at any of its 3 telephone numbers, all 3 numbers have been disconnected. Comtel also has not paid him any commissions since phones were installed.

No report rec'd, certified letter sent 8-23-91, report due 9-9-91.

8-26-91, advised Show Cause docket open against Comtel, closed w/letter to customer attached.

CONSUMER REQUEST

FLORIDA
PUBLIC
SERVICE
COMMISSION



101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:
Kathryn Dyal Brown

08/06/91

BY: _____

August 23, 1991

Mr. Ron Dicara
Vice President
Comtel of Jacksonville
10230 Atlantic Blvd., #21
Jacksonville, Florida 32225

Dear Mr. Dicara:

RE: Denise Tyson, 57856P
Starke Amoco, 61183P

No response has been received to the above referenced complaints. Florida Public Service Commission rules require that regulated utilities respond in writing to commission staff inquiries within fifteen (15) days. Failure to do so may result in further action by the commission.

Therefore, I would appreciate receiving your written response no later than September 9, 1991. Responses may be mailed to the address below or faxed to my attention at 904/487-0509.

If you have any questions please give me a call at 904/488-7238. Thank you for your prompt attention to this matter.

Sincerely,

Kathryn Dyal Brown
Consumer Affairs Analyst
Division of Consumer Affairs

KDB:kt
Enclosure: complaint files

September 5, 1991

Ms. Jocelyn Miklovich
Hibiscus
4780 A1A South
St. Augustine, FL 32084

Dear Ms. Miklovich:

This is a follow-up to your recent communication with this Commission concerning Comtel of Jacksonville.

A review of the information developed in our investigation indicates that you have been trying to get Comtel to remove an inoperable payphone from the Hibiscus resort. The company has failed to respond to your request.

We have also been unsuccessful in getting Comtel to address this situation. The Public Service Commission has initiated formal action against Comtel of Jacksonville for violation of commission rules.

Your complaint will be added to the docket file. Thank you for bringing this matter to our attention.

Sincerely,

Mike Dymek
Consumer Affairs Analyst
Division of Consumer Affairs

MD:kt
cc: Pam Austin
John Adams
Docket file 910663

Name HIBISCUS
Address JOCELYN MIKLOVICH CALLED
4780 A1A SOUTH
ST. AUGUSTINE 32084 County FLA
City/Zip
Account Number _____

Company COMTEL OF JACKSONVILLE
Attn. RON DICARA
Consumer's Telephone # (904)-471-6848
Can Be Reached _____

Request No. 60629P
By MCD Time 1:55 PM Date 07/18/91
To CO Time mail Date 07/19/91
Complaint Type ps-40

Has consumer contacted company? Yes X No _____ Who _____

Note _____
Justification Y
Closed By MCD Date 09/04/91
Reply Received L

1. Nature of Request 2. Report of Action

Company has failed to remove a payphone at this resort location. Phone is no longer in service and customer has been trying to get Comtel to remove the equipment for the past two months, with no success.

Please contact customer and respond by date below.

Response not received as of August 14. Please provide report of action to Commission.

Closed by letter.

CONSUMER REQUEST

FLORIDA
PUBLIC
SERVICE
COMMISSION



101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

Mike Dymek

08/02/91

BY: _____

September 5, 1991

Ms. Denise Tyson
1018 Cassat Avenue
Jacksonville, Florida 32205

Dear Ms. Tyson:

I am writing concerning your complaint against Comtel of Jacksonville. I apologize for the delay in responding, however, I have been unable to reach this company.

The commission has initiated formal proceedings against Comtel for rules violations. These proceedings may result in a cancellation of the company's certificate to offer pay telephone service in Florida, a monetary fine, or both. Failure to respond to customer and commission complaints is also a rules violation, consequently, your complaint has been added to the docket file.

I appreciate your bringing this matter to our attention.

Sincerely,

Kathryn Dyal Brown
Consumer Affairs Analyst
Division of Consumer Affairs

KDB:kt

cc: John Adams, Legal
Pam Austin, Communications
Docket File No. 910663

Name TYSON, DENISE
Address 1018 CASSAT AVE
JACKSONVILLE 32205 DUV
City/Zip _____ County _____
Account Number _____

Company COMTEL OF JACKSONVILLE
Attn. RON DICARA
Consumer's Telephone # _____
Can Be Reached (904)-781-6382

Request No. 57856P
By KDB Time 3:30 PM Date 06/27/91
To CO Time mail Date 06/28/91
Complaint Type ps-05
Note _____
Justification Y
Closed By KDB Date 08/26/91
Reply Received L

Has consumer contacted company? Yes X No _____ Who _____

1. Nature of Request 2. Report of Action

Customer said payphone has never worked since Comtel put it in 3 months ago. Phone has no number or other information on it. She has called Comtel without results and most recently the number she called had been disconnected. She would like instrument removed. Please respond to PSC with a report of action in writing by the date below.

7-26-91, no report has been received, see attached letter requesting report no later than 8-9-91./kdb

8-22-91, no report received, called 904-720-0500 (# on PATS list), it has been disconnected.

Mailed certified letter to Comtel 8-23-91./kdb - see attached.

8-26-91, advised Show Cause docket open, close w/letter attached.

CONSUMER REQUEST

FLORIDA
PUBLIC
SERVICE
COMMISSION



101 EAST GAINES STREET
TALLAHASSEE, FLORIDA 32399

PLEASE RETURN THIS FORM
WITH REPORT OF ACTION TO:

Kathryn Dyal Brown

08/09/91

BY: _____

August 23, 1991

Mr. Ron Dicara
Vice President
Comtel of Jacksonville
10230 Atlantic Blvd., #21
Jacksonville, Florida 32225

Dear Mr. Dicara:

RE: Denise Tyson, 57856P
Starke Amoco, 61183P

No response has been received to the above referenced complaints. Florida Public Service Commission rules require that regulated utilities respond in writing to commission staff inquiries within fifteen (15) days. Failure to do so may result in further action by the commission.

Therefore, I would appreciate receiving your written response no later than September 9, 1991. Responses may be mailed to the address below or faxed to my attention at 904/487-0509.

If you have any questions please give me a call at 904/488-7238. Thank you for your prompt attention to this matter.

Sincerely,

Kathryn Dyal Brown
Consumer Affairs Analyst
Division of Consumer Affairs

KDB:kt
Enclosure: complaint files

July 26, 1991

Mr. Ron Dicara
Vice President
10230 Atlantic Blvd, #21
Jacksonville, FL 32225

Dear Mr. Dicara:

RE: Denise Tyson, #57856

No response has been received on the above referenced complaint. Florida Public Service Commission rules require that regulated utilities respond in writing to commission staff inquiries within fifteen (15) days. Failure to do so may result in further action by the commission.

Therefore, I would appreciate receiving your written response no later than August 9, 1991. Responses may be mailed to the address below or faxed to my attention at 904/487-0509.

If you have any questions please give me a call at 904/488-7238. Thank you for your prompt attention to this matter.

Sincerely,

Kathryn Dyal Brown
Consumer Affairs Analyst
Division of Consumer Affairs

KDB:kt
Enclosure